

US PTO-1390
(REV 5-93)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

Don Kreisler.011

U.S. APPLICATION NO. (If known, use 37 C.F.R. 1.5)

[to be assigned] 09/743883

INTERNATIONAL APPLICATION NO.

PCT/EP99/04896

INTERNATIONAL FILING DATE

July 13, 1999

PRIORITY DATE CLAIMED

July 13, 1998

TITLE OF INVENTION

"ANTIMICROBIAL COMPOSITION"

APPLICANT(S) FOR DO/EO/US

Joerg Peter Schuer


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

This Application is timely filed on January 16, 2001 under 37 C.F.R. Section 1.7 because the deadline of January 13, 2001 fell on a Sunday and January 15, 2001 was a Federal holiday.

U.S. APPLICATION NO. 09774383		INTERNATIONAL APPLICATION NO. PCT/EP99/04896		ATTORNEY'S DOCKET NUMBER von Kreisler.011	
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO..... International preliminary examination fee paid to USPTO (37 CFR 1.482) No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).. Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY \$860.00 	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	23 -20 =	3	X	\$ 54.00	
Independent Claims	3 -3 =		X	\$ ----	
Multiple dependent claims(s) (if applicable)			+	\$ ----	
TOTAL OF ABOVE CALCULATIONS				=	\$
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	-
SUBTOTAL				=	\$
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE				=	\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED				=	\$ 1,044.00
				Amount to be:	
				refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,044.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1406</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
 SIGNATURE John S. Child, Jr. NAME <u>28,833</u> REGISTRATION NUMBER					

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BOX -- PCT

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

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IDENTIFICATION OF THE INTERNATIONAL APPLICATION

International Application No.
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Applicant (name)
Jörg Peter Schür

Title: "ANTIMICROBIAL COMPOSITION"

**TRANSMITTAL OF LETTER TO THE UNITED STATES
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Certificate of Mailing By Express Mail Under 37 C.F.R. § 1.10

NO. OF EXPRESS MAIL LABEL EL 479923875US DATE OF DEPOSIT WITH POSTAL SERVICE January 16, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above, and is addressed to **BOX -- PCT**, Commissioner for Patents, Washington, D.C. 20231.

Georgia M. Peters
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